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January 27, 1999

Magalie Roman Salas
Secretary
Federal Communications Commission
Room 222
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Washington, D.C. 20554

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Re: Abbreviated Dialing Ad Hoc Working Group Report, NSD No. L-98-139

Dear Mr. Salas:

Pursuant to the Federal Communications Commission's public Notice DA-98-2541, dated December 14, 1999, enclosed please find an original and four (4) copies of MCI WorldCom's reply comments in the above referenced proceeding. Please date-stamp the enclosed "Receipt" stamp copy and return with the messenger.

Please do not hesitate to contact me at (202) 955-6300 with any questions regarding this filing.

Sincerely yours,



Christy C. Kunin

Attorney for MCI WorldCom, Inc.

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**Before the
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|---------------------------------------|---|-----------------------|
| In the Matter of |) | |
| |) | |
| The Report and Recommendations of the |) | NSD File No. L-98-139 |
| Abbreviated Dialing Ad Hoc Working |) | |
| Group of the North American Numbering |) | CC Docket No. 92-105 |
| Council (NANC) Regarding Abbreviated |) | |
| Dialing Arrangements |) | |

REPLY COMMENTS OF MCI WORLDCOM, INC.

MCI WorldCom, Inc. ("MCI WorldCom"), by its attorneys, submits these reply comments on the Report of North American Numbering Council ("NANC") Abbreviated Dialing Ad Hoc Working Group ("Working Group").¹

All but two of the opening comments in this proceeding were from Working Group members. As a result, the comments largely perpetuate the Report's failure to discharge the Commission's directive to "explore how rapidly abbreviated dialing arrangements could be deployed."² MCI WorldCom therefore urges the Commission to explicitly direct NANC to develop national abbreviated dialing guidelines, on an expedited and balanced basis, by opening a Notice of Proposed Rulemaking ("NPRM") to establish rules for uniform abbreviated dialing arrangements.

¹ Report and Recommendations of the Abbreviated Dialing Ad Hoc Working Group to the North American Numbering Council (NANC) Regarding Abbreviated Dialing Arrangements (Sept. 23, 1998) ("Report").

² *The Use of N11 Codes and Other Abbreviated Dialing Arrangements*, First Report and Order and Further Notice of Proposed Rulemaking, 12 FCC Rcd. 5572, CC Docket 92-105, FCC 97-51 at ¶¶ 61, 87 (1997) ("N11 Order").

DISCUSSION

I. THE COMMENTS DO NOT SUBSTANTIATE THE REPORT'S ASSUMPTION THAT THERE IS NO NEED FOR NATIONAL ABBREVIATED DIALING ARRANGEMENTS

Given that most of the commenters are majority members of the Working Group, it is not surprising that they repeatedly support the Report's findings. This uniform support, however, demonstrates how the inherent bias in the Working Group membership tainted the Report's conclusions. For example, the incumbent local exchange carrier ("ILEC") insistence that "abbreviated dialing resources should not be utilized for ordinary telephone service, carrier access applications or for speed calling arrangements"³ provides a potent example of how the Working Group narrowly circumscribed its work to meet incumbents' own competitive interests.⁴

Unlike the ILECs, MCI WorldCom is a national carrier that could develop applications for abbreviated dialing arrangements on a nationwide scale.⁵ Thus, the failure of the ILEC-dominated Working Group majority to successfully identify a national "demand" does not undermine the need for access-related applications useful for IXC customers.⁶ By limiting the uses of abbreviated dialing solely to information services, the Working Group presumptively curtails numerous potentially attractive consumer alternatives.

³ Bell Atlantic Comments at 1; USTA Comments at i, 3; BellSouth Comments at 4.

⁴ Virtually every majority commenter sought to ensure that their existing users would remain unfettered. See USTA Comments at 3, 5-7, 13; AT&T Comments at 5-8; BellSouth Comments at 4-5; PrimeCo Comments at 2-3; Bell Atlantic Comments at 2. As USTA explains, there is clearly difficulty in implementing "any uniform abbreviated dialing arrangement when the basic resource has been in use for many years and subject to various uncontrolled and uncoordinated uses." USTA Comments at 13. A decision to adopt a national abbreviated dialing format may therefore impinge on some existing uses, and while MCI WorldCom agrees that it is worthwhile to minimize such interference, it is clear from the *N11 Order* that such or local uses would be subject to recall if a conflict abbreviated dialing format were adopted by the Commission.

⁵ For example, an examination of the technical feasibility of various existing abbreviated dialing schemes, such as the modified abbreviated dialing arrangement patented by the Stentor companies, should be undertaken either through an NPRM or by the industry under the Commission's direction.

⁶ MCI WorldCom Comments at 4.

The Report's recommendation, supported by BellSouth,⁷ that seeks to preserve existing commercial services of "N11" dialing arrangements contravenes the Telecommunications Act and the *N11 Order*.⁸ The Act precludes carrier-specific numbering services that use public telephone numbers which cannot be dialed by customers of other carriers.⁹ Accordingly, the Commission should disregard the Working Group's recommendations on N11 and should release an NPRM proposing a comprehensive framework for administration of N11 codes and other abbreviated dialing arrangements.

II. THE CRITICISMS OF MCI WORLDCOM'S MINORITY OPINION STEM FROM A FUNDAMENTAL MISCONCEPTION OF THE WORKING GROUP'S PURPOSE

The comments on MCI WorldCom's minority opinion seek to dismiss legitimate concerns over process by asserting that MCI WorldCom's views are less valid because we did not offer "specific proposals," failed to explain how abbreviated dialing arrangements would be used, or did not estimate implementation costs for those arrangements.¹⁰ AT&T argues that this makes it difficult for the Commission or NANC to determine if national abbreviated dialing arrangements are technically or economically practical.¹¹ Yet these comments evade the fundamental issue — the Working Group, not MCI WorldCom, was responsible for developing specific abbreviated dialing proposals.

The Report's failure to seriously undertake this responsibility and fashion specific proposals in no way shifts responsibility to MCI WorldCom. Rather, it underscores how the process deficiencies of the Working Group skewed the findings. The Working Group majority members

⁷ BellSouth Comments at 11.

⁸ *Id.*

⁹ MCI WorldCom Comments at 9.

¹⁰ *See* AT&T Comments at 4-5.

¹¹ *Id.*

repeatedly assert that the working group had a “balanced” representation of industry interests.¹² This is incorrect.

First, as USTA concedes, the Working Group leadership, especially MCI WorldCom, consistently sought broader participation.¹³ Despite BellSouth’s claim that there was “wide-spread industry consensus,”¹⁴ a review of Appendix C to the Report identifies 20 Working Group participants, of which 15 represent ILEC or wireless interests.¹⁵ Likewise, BellSouth’s assertion that NANC’s membership must be balanced under its charter¹⁶ is wholly irrelevant in these circumstances where the Working Group comprised an “ad hoc” collection of some industry participants. Similarly, the Commission should be aware that other procedural mechanisms designed to ensure openness, fairness and balance by industry groups, such as public comment and resolution of minority views, were not employed in the *ad hoc* setting of the Working Group.¹⁷

The comments also demonstrate that BellSouth’s claims of a “full analysis” by the Working Group are inaccurate.¹⁸ As USTA points out, switching and equipment manufacturers were not Working Group participants and were called in to present to the Working Group only at the final meeting.¹⁹ Finally, pejorative references to abbreviated dialing as “designer telephony”²⁰ with “questionable value”²¹ illustrate the ILECs’ negative approach to abbreviated dialing

¹² See USTA Comments at 2, 9-10; BellSouth Comments at 6-8; AT&T Comments at 2; PrimeCo Comments at 4 n.7.

¹³ USTA Comments at 9.

¹⁴ BellSouth Comments at 8.

¹⁵ Report, App. C.

¹⁶ BellSouth Comments at 6-7.

¹⁷ Communications Venture Services Comments at 1.

¹⁸ BellSouth Comments at 7.

¹⁹ USTA Comments at 12.

²⁰ USTA Comments at 14.

²¹ *Id.* at 4.

and demonstrate how self-interest infected the Working Group from its inception. This is powerful evidence of how the Working Group was used to stifle development of national abbreviated dialing formats that conflict with the majority participants' existing intra-network uses of abbreviated dialing.

III. THE COMMISSION SHOULD RESOLVE IMPLEMENTATION ISSUES FOR 555 NXXs

AT&T agrees that ILECs "should be precluded from blocking access to current numbering resources in a non-competitive manner" and therefore that the "Commission should focus its efforts on the underlying problem of removing ILEC barriers to competition."²² However, AT&T's comments also acknowledge that resolution of the 555 NXXs for information services does not address the need for abbreviated dialing arrangements.²³ Such 555 numbers are *not* abbreviated dialing. Thus, while MCI WorldCom continues to believe that Commission action is essential if the 555 resource is to be truly available, these numbering alternatives cannot be considered an adequate substitute for development of national abbreviated dialing arrangements.²⁴

²² *Id.* at 6-7.

²³ *See id.* at 7.

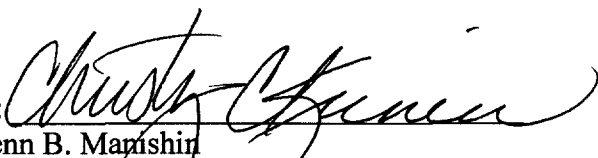
²⁴ MCI WorldCom Comments at 7-8.

CONCLUSION

For the reasons set forth both here and in its opening comments, MCI WorldCom respectfully requests that the Commission (1) explicitly direct NANC to develop national abbreviated dialing guidelines, (2) open a NPRM to establish rules necessary to fully implement uniform national abbreviated dialing arrangements, and (3) direct ILECs to immediately provide access service arrangements to support 555 service.

Respectfully Submitted,

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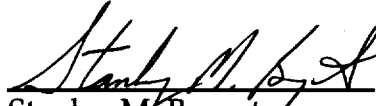
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Dated: January 27, 1999

Counsel for MCI WorldCom, Inc.

CERTIFICATE OF SERVICE

I, Stanley M. Bryant, do hereby certify that on this 27th day of January, 1999, that I have served a copy of the foregoing document via * messenger and U.S. mail, posted pre-paid, to the following parties listed below:



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